

Worksession

Agenda Item #	5
Meeting Date	January 26, 2004
Prepared By	Kenneth Sigman
Approved By	Richard M. Finn City Mgr.

Discussion Item	<p>Technical corrections to recent ordinances:</p> <ol style="list-style-type: none"> 1. Amendment of Chapter 6, Housing, to reduce the minimum number of members on the Commission on Landlord/Tenant Affairs ("COLTA"). 2. Amendment of Chapter 12, Trees and Vegetation, to clarify the penalties for violation of the Chapter.
Background	<ol style="list-style-type: none"> 1. <u>COLTA Members.</u> <p>Currently, the Code provides that COLTA "shall have 12 active members," and that "at least one-half of the active members shall constitute a quorum for the transaction of business." Historically, the City has had difficulty filling all twelve COLTA positions. Recently, the Circuit Court ruled that at least six COLTA members are necessary to constitute a quorum, even if COLTA has less than twelve active members.</p> <ol style="list-style-type: none"> 2. <u>Tree Violation Penalties.</u> <p>Currently, the Code does not expressly provide that violation of the conditions of a tree permit or the requirements of a tree protection plan constitutes a Class AA municipal infraction.</p>
Policy	<ol style="list-style-type: none"> 1. <u>COLTA Members.</u> <p>The proposed Ordinance authorizes COLTA to have a range of seven to twelve members. This change would give the City the flexibility to appoint qualified volunteers when they become available, while decreasing the likelihood that the number of Commissioners will drop below the statutory minimum. This change would also increase the likelihood that COLTA will be able to convene a quorum and conduct any necessary business, as the quorum will be based on the actual number of active commissioners, rather than twelve members required under the current statute. For example, if the COLTA has only seven active members, then four members would constitute a quorum.</p> <ol style="list-style-type: none"> 2. <u>Tree Violation Penalties.</u> <p>Expressly stating that violations of the conditions of a tree permit or the requirements of a tree protection plan constitute a Class AA municipal infraction will encourage residents and contractors to comply with the City's tree protection law and facilitate enforcement actions.</p>
Fiscal Impact	
Attachments	Proposed Ordinance.

Recommendation	Discuss the proposed Ordinance.
Special Consideration	

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